

### **Remarks and Arguments**

Applicants have carefully considered the Office Action dated September 12, 2006 and the references cited therein. Applicants respectfully request reexamination and reconsideration of the application.

Claims 3-17, 19 and 20 are currently pending.

Claims 8-11, 17, 19 and 20 are allowed.

Claims 3-7 and 12-16 are rejected.

Claims 3-7 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,792,145, Gay, already of record, in view of U.S. Patent No. 5,903,646, Rackman, also already of record, and further in view U.S. Publication No. 2003/0163537, Rohall et al. Applicants traverse such rejection on the grounds that the Examiner has failed to create a *prima facie* case of obviousness. In accordance with MPEP §2143.03, to establish a *prima facie* case of obviousness 1) the prior art reference (or references when combined) must teach or suggest *all* of the claim limitations; 2) there must be some suggestion or motivation to modify a reference or combine references; and 3) there must be a reasonable expectation of success.

Claim 3 has been previously amended to recite "parsing the original document for selected logistical data comprising any of sender, receiver, original size, subject, date, carbon copies of the original document" (claim 3, lines 4-6). In setting forth the rejections to claim 3, the Examiner has expressly admitted that Gay does not disclose parsing an original document for selected logistical data comprising any of sender, receiver, original size, subject, date, carbon copies of the original document. Instead, the Examiner is relying on Rohall et al, for such disclosure and further states that it would have been obvious to one of ordinary skill in the arts to combine the Gay method with Rohall et al. in order to provide electronic messaging to multiple users.

Applicants respectfully draw the Examiner's attention to the fact that Rohall et al. is a commonly-owned, continuation-in-part of, and therefore claims priority to, the subject application. Accordingly, Rohall et al. is not properly citable as prior art against the currently pending claims of the subject application. As such, the Examiner has failed to establish a *prima facie* case of obviousness since, by the Examiner's own admission regarding the deficiencies of Gay, the combined teachings of Gay and

Rackman fail to disclose, teach or suggest all of the limitations recited in claim 3. Accordingly, Applicants respectfully assert that claim 3 is patentable over the combined cited prior art. Claims 4-5 and 13-16 include all the limitations of claim 3 and are likewise believed patentable for at least the same reasons as claim 3, as well as for the merits of their own respective limitations.

Regarding the rejection of claim 12, Applicant respectfully asserts that claim 12 is the apparatus counterpart of allowed computer program product claim 10, containing substantially identical limitations, and is allowable over the art of record for least the same reasons as claim 10, as well as for the merits of its own respective limitations.

Claims 6-7 have been amended to include an additional limitation similar to limitation (d) of allowed claim 17. Each of claims 6-7 now recite "presenting an organized plurality of shadow documents with graphical representations in a tree arrangement" (claim 6, lines 9-10; claim 7, lines 9-10). Accordingly, claims 6-7 are now likewise believed allowable over the a record.

Applicants respectfully reassert all of the remarks and traversals set forth in prior responses to the extent still relevant to the outstanding rejections.

Applicants believe the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he is invited to call Applicants' attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. DA-12-2158.

Respectfully submitted,

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